

REMARKS

In the Office Action mailed February 24, 2005, the Examiner noted that claims 1-26 were pending, allowed claims 1-3, 5-7, 24, and 25, and rejected claims 4, 8-23, and 26. Claims 8, 15-17, and 26 have been amended, claims 4, 18-23 and 26 have been cancelled, and, thus, in view of the forgoing claims 1-3, 5-17, 24 and 25 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections are traversed below.

On page 5 of the Office Action, the Examiner rejects claims 8-12, 14-17 and 26 under 35 U.S.C. § 103 over by Nakajima U.S. Patent No. 6,701,011 in view of Yanagida U.S. Patent No. 5,775,918. Page 7 of the Office Action rejects claim 13 under 35 U.S.C. § 103 over Nakajima and Yanagida in view of Kanno et al U.S. Patent No. 6,577,761.

In particular with respect to claims 8, 15-17 and 26, on page 5, the Examiner acknowledges that Nakajima is silent on the feature of the invention related to allowing a user to correct the output image by designating a correction preferred by a group of people. The Examiner alleges that Yanagida teaches this feature. In particular the Examiner notes that Yanagida discloses a device for designating a group and points to col. 1, lines 60-65 of Yanagida for a simple way of designating image processing. First, designating a group as alleged by the Examiner says nothing about designating a correction preferred by a group of people. Second, the Yanagida text noted by the Examiner particularly states:

It is a second object of the present invention to allow papers with answers entered therein to be marked automatically and easily by a digital copier or similar image processing apparatus.

(Yanagida, col. 1, lines 60-65)

This text is about automatically marking exam or test papers and not about preferred image corrections much less about preferred image correction preferred by a group as in some aspects of the invention. Third, it Yanagida is about grading papers and is submitted to be not particularly relevant to the present invention.

Kanna adds nothing to Nakajima and Yanagida with respect to the important issues of the invention.

Further, claim 8 has been amended to recite: "a user corrected image obtaining unit outputting a predetermined image that is preferred widely among a large number of people, and allowing a user to correct the output image". None of the cited prior art references teaches or suggests this feature of the present invention; thus, it is respectfully submitted that claim 8 is patentably distinguishable over the prior art. Claims 9-14 depend directly and indirectly from

claim 8 and include all the features of claim 8 plus additional features not taught or suggested by the prior art. Therefore, it is respectfully submitted that claims 9-14 are patentably distinguishable over the prior art.

Claims 15-17 have been amended to also emphasize that the user is allowed to select a correction from among variations that include an image of a quality widely preferred by a large number of people. Therefore, it is respectfully submitted that claims 15-17 are patentably distinguishable over the prior art.

It is submitted that claims 1-3, 5-7, 24, and 25 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

Respectfully submitted,

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